

13281 U.S. PTO
021304

Docket No.: 103864.133 US3

Honorable Commissioner for Patents
Washington, D.C. 20231

17548 U.S. PTO
10/777114
021304

NEW DIVISIONAL APPLICATION TRANSMITTAL

Dear Sir:

Transmitted herewith for filing is the utility patent application of **Inventors:**

- (1) Dennis Wayne RICE :
- (2) James G. McERLEAN :
- (3) E. Christian HESS :
- (4) P. Thomas SHUPERT :
- (5) Chih-Jen LEU :
- (6) Robert Gregory HOWELL :
- (7) Michael Joseph SZESKO :
- (8) Andrew P. BOOLER :
- (9) Peter MONKHOUSE :
- (10) Douglas W. WALTON :
- (11) Michael W.G. BELL :
- (12) Christopher J. LASHER :
- (13) Thomas P. BONKENBURG :

Entitled: AUTOMATED PRESCRIPTION FILLING SYSTEM/METHOD WITH :
AUTOMATED LABELING AND PACKAGING SYSTEM/METHOD :
AND AUTOMATED ORDER CONSOLIDATION SYSTEM/METHOD :

Enclosed are:

1. Papers Required For Filing Date Under 37 C.F.R. § 1.53(b):

- 69 Page(s) for Specification
35 Page(s) for Claim(s)
1 Page(s) for Abstract
38 Sheet(s) of **formal** drawings.

2. Declaration/Power of Attorney

- Newly executed (original or copy)
X Copy from prior application (continuation/divisional applications)

3. Assignment

- X An assignment with Recordation Form Cover Sheet of the invention. This application is assigned to Medco Health Solutions, Inc.

4. Microfiche Computer Program Appendix

_____ Sheet(s) of microfiche.

5. Nucleotide and/or Amino Acid Sequence Submission

_____ Computer readable copy.

_____ Paper Copy (identical to computer copy).

_____ Statement verifying identity of above copies.

_____ Statement of Reliance on Sequence Listing and Computer Readable Form of Sequence Listing in U.S. patent application number(s) _____, filed _____, incorporated herein by reference in its/their entirety.

6. Small Entity Statement

_____ Applicant(s) hereby claim "small entity" status under 37 C.F.R. § 1.9 and § 1.27.

_____ A verified statement that this is a filing by a "small entity" under 37 C.F.R. § 1.9 and § 1.27 is enclosed.

_____ A verified statement that this is a filing by a "small entity" under 37 C.F.R. § 1.9 and § 1.27 was filed in a prior application, copy attached. Status still proper.

7. Claim for Priority Under 35 U.S.C. § 120

X_____ The benefit under 35 U.S.C. § 120 is hereby claimed.

Please amend the specification as follows:

After the title of the invention, insert the following:

_____ "This application claims priority to, and is a **divisional** application of, U.S. application number(s) _____, filed _____, incorporated herein by reference, in its/their entirety."

_____ "This application claims priority to, and is a **continuation** application of, U.S. application number(s) _____, filed _____, incorporated herein by reference, in its/their entirety."

_____ "This application claims priority to, and is a **continuation-in-part** application of, U.S. application number(s) _____, filed _____, incorporated herein by reference, in its/their entirety."

8. Claim for Priority Under 35 U.S.C. § 119

X_____ The benefit of priority under 35 U.S.C. § 119 is hereby claimed.

_____ Certified copy(ies) of the below-identified **foreign/PCT** application(s) enclosed.

____ Certified copy(ies) of the below-identified **foreign/PCT** application(s) were filed in U.S. patent application number(s) _____, filed _____.

Please amend the specification as follows:

After the title of the invention, insert the following:

- ____ "This application claims priority to U.S. **provisional** application number(s) _____, filed _____, incorporated herein by reference, in its/their entirety."
- ____ "This application claims priority to **foreign** application number(s) _____, filed _____, incorporated herein by reference, in its/their entirety."
- ____ "This application claims priority to **International PCT** application number(s) _____, filed _____, incorporated herein by reference, in its/their entirety."
- ____ "The **International PCT** application was/was not published in the English language under PCT Article 21(2)."

9. Fee Calculation

	<u>Claims Filed</u>	<u>Number Extra</u>		<u>Rate</u>	<u>Basic Fee \$770.00</u>
Total Claims	2	- 20 = 0	X	\$ 18.00	0.00
Independent Claims	1	- 3 = 0	X	\$ 84.00	0.00
Multiple dependent claim(s)				\$280.00	
				Small Entity Discount (50% of above)	(\$0.00)
				Filing Fee Calculation	\$770.00

- X Preliminary Amendment canceling/adding extra claims enclosed, and included in above fee calculation.
- ____ Preliminary Amendment deleting multiple dependencies enclosed.

10. Fee Payment

<u>X</u> Filing fee calculation above	<u>\$770.00</u>
<u>X</u> Recording assignment (37 C.F.R. § 1.21(h)(1)-\$40.00)	<u>\$40.00</u>
TOTAL FEES	<u>\$810.00</u>

11. Method of Payment of Fees

- ____ Not Enclosed. No filing fee is to be paid at this time.
- ____ Enclosed. Check in amount: \$ _____
- X Enclosed. Charge Deposit Account No. 08-0219 amount: \$810.00

12. Patent Application Publication-Related Requests (Not for Reissue or Design)

_____ Applicant hereby requests under 37 C.F.R. § 1.84(j) that Figure _____ be included on the front page of the patent application publication and patent.
_____ Request for non-publication under 35 U.S.C. § 122(b) is enclosed.

13. Other Enclosures:

X Preliminary Amendment
X Information Disclosure Statement
X Application Data Sheet
_____ Other _____

14. Authorization to Credit Overpayment or Charge Additional Fees

X The Commissioner is hereby authorized to credit any overpayment, or charge fees under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17 which may be required, to Deposit Account No. 08-0219. A duplicate copy of this Transmittal Letter is attached for accounting purposes.

15. Conditional Petition For Extensions of Time

X Petition is hereby made under 37 C.F.R. § 1.136(a) for any extension of time required to ensure that any papers due in the U.S. Patent and Trademark Office during the pendency of this application are timely filed. Please charge any fees due for any extensions of time to Deposit Account No. 08-0219. A duplicate copy of this Transmittal Letter is attached for accounting purposes.

16. Correspondence Address:

Hale and Dorr LLP
1455 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: (202) 942-8400

Respectfully Submitted,
HALE AND DORR LLP


Iran H. Donner
Registration No. 35,120

Date: 2/13/04